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Thursday, 9 April 2009, 10 a.m.

New York

President:	Mr. Heller	(Mexico)
Members:	Austria	Mr. Ebner
	Burkina Faso	Mr. Tiendrébéogo
	China	Mr. Long Zhou
	Costa Rica	Mr. Urbina
	Croatia	Mr. Vilović
	France	Mr. Ripert
	Japan	Mr. Kimura
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Russian Federation	Mr. Safronkov
	Turkey	Mr. İlkin
	Uganda	Mr. Mugoya
	United Kingdom of Great Britain and Northern Ireland	Sir John Sawers
	United States of America	Ms. DiCarlo
	Viet Nam	Mr. Le Luong Minh

Agenda

The situation concerning the Democratic Republic of the Congo

Twenty-seventh report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2009/160)

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The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning the Democratic Republic of the Congo

Twenty-seventh report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2009/160)

The President (*spoke in Spanish*): I should like to inform the Council that I have received a letter from the representative of the Democratic Republic of the Congo, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Ileka (Democratic Republic of the Congo) took a seat at the Council table.

The President (*spoke in Spanish*): In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Alan Doss, Special Representative of the Secretary-General and head of the United Nations Organization Mission in the Democratic Republic of the Congo.

There being no objection, it is so decided.

I invite Mr. Doss to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. Members of the Council have before them the twenty-seventh report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo, contained in document S/2009/160. At this meeting, the Security Council will hear a briefing by Mr. Alan Doss. I now give him the floor.

Mr. Doss (*spoke in French*): Today, it is my honour once again to present to the Council the report of the Secretary-General (S/2009/160) on the situation in the Democratic Republic of the Congo and on the prospects and challenges of our peacekeeping mission.

In late January, Mr. Edmond Mulet, Assistant Secretary-General for Peacekeeping Operations, informed the Council of significant events that took place in the context of bilateral meetings between the Governments of the Democratic Republic of the Congo and Rwanda and of the statement on an end to the war by 10 high commanders of the Congrès national pour la défense du peuple (CNDP). Since then, important progress has been made in integrating combatants of the CNDP and other armed groups and in joint operations against the armed Rwandan groups, the Forces démocratiques de libération du Rwanda (FDLR).

The prospect of an end to the main conflict, which has dominated the situation in the Kivus for almost two years now, has created real hope that a lasting solution to the problems that have plagued this region of the Congo for more than a decade will finally be achieved. The first concrete results are encouraging. A large portion of the two territories that have been most affected up to now, Rutshuru and Masisi, is now more secure. The authority of the State is being re-established there. The FDLR in North Kivu have been pushed back from several zones they occupied previously and we have seen a significant increase in candidates for voluntary repatriation. Displaced persons are beginning to return home and the Government has launched an initiative to accelerate rehabilitation programmes in order to build peace in the Kivus.

That being said, the integration process and ongoing operations against the FDLR are encountering considerable difficulties. Furthermore, tensions exist at the national level following debates on joint operations with the Rwandan and Ugandan armies, and at the local level, where changing alliances have raised concerns, in particular in terms of land disputes which the return of more than 1 million displaced persons could provoke.

(*spoke in English*)

There has been a sea change in the situation in North Kivu since mid-January, when CNDP and the Coalition des patriotes résistants congolais, followed

by other Congolese armed groups, declared an end to the conflict and their readiness to integrate immediately into the Congolese army. This remarkable turnaround was made possible by the rapprochement of Kigali and Kinshasa, and we commend the two Governments for their courageous decision to overcome their previous distrust and to focus on common interests of the future. This, along with the reversal of the CNDP's position and the abrupt change of its leadership, has opened up entirely new perspectives for the peace process. But, as with all dramatic changes, they have also brought new challenges which must be carefully managed.

The first of the challenges is the integration of the Congolese armed groups into the national army. The so-called fast-track integration had initially been a political gesture that is only now being followed up by practical implementation. Most elements of the CNDP and other armed groups have been registered, but payments of salaries have been delayed and the provision of food and ammunition for the units engaged in the operations against the FDLR has been lagging behind. As a result, some elements of the newly integrated Armed Forces of the Democratic Republic of the Congo (FARDC) have reverted to looting or illegal taxation.

The FARDC command has, however, started addressing these issues with the assistance of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) and other international partners. MONUC provides rations to soldiers engaged in the joint operations and to those who will be sent for training by MONUC, but the Government now has to move quickly to cover the immediate needs arising from fast-track integration and to manage the transition towards long-term army reform. Secure areas have to be demilitarized by properly garrisoning contingents not involved in the joint operations or in patrolling and by deploying the police to maintain law and order.

MONUC has trained police forces and is coordinating international assistance to facilitate the restoration of State authority and the provisional garrisoning of the FARDC, which should start in the coming weeks. A significant success of the accelerated integration is MONUC's separation of almost 1,100 children associated with armed groups since the beginning of the process earlier this year. In all my meetings with the Congolese authorities and representatives of armed groups, I have consistently urged them to release immediately all remaining children within their ranks.

As the integration is ongoing, the FARDC and MONUC have launched the next phase of the operations against the ex-Interahamwe/FDLR — Operation Kimia II. In addition to providing rations, MONUC assists in the planning, ensures medical evacuation and provides logistic and fire support to the FARDC. A company of MONUC forces is also co-locating with most FARDC battalions assigned to those operations in order to ensure monitoring and to facilitate the delivery of supplies. The first objective of the operations is to prevent the FDLR from reoccupying areas where they have been pushed out by the joint FARDC-Rwandan Defence Forces (RDF) operations. Some of those areas, particularly along the border between the Masisi and Walikale territories, have seen a spate of reprisal attacks against civilians. MONUC has reinforced its presence there and continues to assist the FARDC in flushing out the FDLR in North Kivu, before starting operations in South Kivu.

The next phase of Operation Kimia II will be particularly challenging. The FDLR is spread over large areas, many difficult to access, and has moved the bulk of its fighting force to South Kivu. We estimate its strength there to be around 4,500. Operations will have to start as soon as FARDC and MONUC troops are deployed preventively to protect the main population centres. Continued military pressure against the FDLR by the FARDC and MONUC is very much needed, in particular to forestall or counter attacks against civilians and to deprive the FDLR of access to its economic interests.

Such pressure has been instrumental in accelerating the surrender and voluntary return of combatants and dependants to Rwanda. Close to 7,000 Rwandans have now returned home since the onset of the joint FARDC-RDF operations and the follow-up with MONUC. Among them are more than 500 FDLR combatants, which is equal, I might add, to the entire total repatriated in 2008. The pace of surrenders has gone down slightly, but FDLR combatants continue to turn themselves in to MONUC across both Kivus.

Along with resolving the crisis in the Kivus, the Council has instructed us to pursue the protection of civilians as the first priority of the Mission. As the

conflict between the Government and the CNDP has come to an end, protection demands are also changing. The main challenges are now to prevent FDLR reprisal attacks, to rein in undisciplined elements of the security forces, and to deal with the emerging threat of the Lord's Resistance Army (LRA) in the Haut Uélé district of Orientale province.

Those tasks are intimately linked to consolidating the integration of the armed groups, as well as to the enforcement of civilian and military justice. Police and army reform has to introduce a vetting system to progressively remove known human rights offenders and to ensure that they face justice. The timing and method of vetting must reinforce the peace process and ensure that all human rights offenders in police or army ranks are dealt with in a consistent manner. I have already broached this issue with the Government and urged the Ministers of Defence and Interior to put in place effective vetting mechanisms with the support of MONUC and other partners.

Let me add that MONUC itself is adapting its policies and practices to enhance its work to protect civilians. MONUC has been deploying joint civilian protection teams, composed of staff from civil and political affairs, human rights, child protection and the disarmament, demobilization and reintegration sections. They operate in close coordination with MONUC military in vulnerable areas. Their presence and contacts with the local population have greatly enhanced our situational awareness and response capacity. During the joint FARDC-RDF operations, for example, recommendations by joint protection teams led to the short-term evacuation of civilians from areas where they were at risk of getting caught in the crossfire, thus considerably reducing civilian casualties.

In areas of FDLR presence, the joint teams have facilitated early warning and preventive deployment to avert possible reprisal attacks. We have also developed guidelines for the military units, so they are better advised on how to tackle the challenge of protection. An example of those guidelines is being distributed to the Council this morning, and I would urge members to look at that as an innovative approach to dealing with the problem of prevention and the protection of civilians through peacekeeping.

However, we should be aware that the continuing joint operations against the armed groups may lead to further attacks on civilians and new displacements. The Council must bear in mind that it is impossible to end the FDLR's control over large parts of both Kivus without any humanitarian consequences. Protecting civilians has been integrated into the planning of the joint operations with the FARDC, and we will do our utmost to minimize negative effects on civilians. However, we cannot allow those groups, in particular the FDLR and the LRA, to perpetuate their violent activities, which are accompanied by extortion, illegal taxation and an appalling level of violence against women and children. Those groups also remain a cause of concern for neighbouring States and a risk to subregional stability.

In Orientale province, the LRA's gruesome reprisal attacks in the wake of the joint operation conducted by the FARDC, the Uganda People's Defence Forces (UPDF) and the Sudan People's Liberation Army (SPLA) cannot be condemned too strongly. The LRA has dispersed into small groups that have sown terror and taken revenge by looting, raping, maiming, abducting and killing civilians in a vast area stretching from northern Ituri to the border with the Central African Republic and the eastern part of that country. Most of those attacks occurred between Christmas 2008 and mid-January 2009. Altogether, about 1,100 civilians have been killed, hundreds have been abducted and some 200,000 people have been displaced. The number of attacks has gone down significantly in recent weeks, but there are indications that the LRA may be regrouping, and a new wave of attacks in the future cannot be ruled out.

The protection of civilians in such a huge and inaccessible area is a major challenge. The FARDC has progressively reinforced its presence, and MONUC provides logistical and material assistance to the Congolese army in the context of operation Rudia II, launched to contain and to progressively neutralize the LRA. We are also establishing four operational bases in some of the most vulnerable areas of Haut Uélé. However, improving the protection of civilians will mainly depend on the deployment of FARDC troops with the necessary mobility and fire support. Furthermore, it is essential not only that the FARDC and MONUC cooperate closely, but also that there be smooth and continuing cooperation with the SPLA and the UPDF. In both operations, Kimia and Rudia, I would like to add that MONUC has urged and requested the FARDC to establish joint operational

centres so as to reinforce coordination and planning with, as necessary, the presence of liaison officers from Rwanda and Uganda.

The situation in Ituri was for several years a major focus of MONUC. Our efforts to progressively restore peace in that district have been largely successful. There are residual pockets of insecurity, but recent incidents are more a matter of banditry than a military challenge to State authority. The implementation of the United Nations security and stabilization support strategy is now gaining momentum in Ituri and, I would add, in North Kivu. It will expand the presence of police and judiciary into remote areas, facilitate socio-economic recovery and, I hope, reduce unemployment, which feeds the militia's ranks. Ituri shows us that a sustained, multipronged effort by the FARDC, with the active support of MONUC and other partners, can break the cycle of violence and lead to peace and security. That has allowed us to redeploy some forces from Ituri both to the Kivus and to Haut Uélé, and is a process that is currently under way.

Another encouraging element in our efforts to protect civilians is the adoption by the Government of the Democratic Republic of the Congo, United Nations agencies and other partners of a comprehensive strategy to combat sexual violence, which has been of great concern to this Council. The strategy contains four main components to address that scourge: fighting impunity, prevention and protection, integrating the fight against sexual violence into security sector reform, and improving access to assistance and legal services for victims. A lead entity has been identified for each of those four components, which will now be introduced at field level and implemented through provincial action plans and the United Nations security and stabilization support strategy. Copies of that strategy are available to the members of the Council and will be distributed after this meeting.

The stabilization strategy aims to consolidate the improving security situation in the Kivus and Ituri by rapidly rehabilitating basic infrastructure, facilitating the return of law enforcement authorities and, generally, State authority. The extension of State authority and basic services also must go hand in hand with labour-intensive employment programmes to absorb disaffected combatants who cannot or do not want to join the army. The armed groups of North and South Kivu have declared a total of 47,000 combatants. There are doubts, perhaps, about the reliability of that figure, but it indicates how many unemployed youths are associated with armed groups for want of a better occupation. They need to be put to work in order to avert future risks of remobilization.

At the same time, it is important to relaunch economic recovery to mitigate ethnic tensions, which could be aggravated by the return of internally displaced persons (IDPs) and refugees. A prosperous and dynamic North and South Kivu can absorb returnees, provided that conflicting land claims are managed carefully, but if the Kivus continue to struggle with mass poverty, unemployment and derelict infrastructures, new escalations of violence may emanate from the underlying tensions between ethnic communities. Prime Minister Muzito has launched an initiative to prioritize interventions in the area of security, State authority, humanitarian assistance and rehabilitation. MONUC and other international partners are working with the Prime Minister in order to fund and support those priorities, and we in MONUC have realigned our stabilization strategy in support of the Prime Minister's initiative.

The peace accord signed on 23 March by the Government and the CNDP, facilitated by Presidents Obasanjo and Mkapa, has laid the foundations to settle critical issues that have long bedevilled the Kivus. These issues include community cohabitation and absorbing the CNDP's parallel administrative structures into the provincial authorities and the national security services. Proper implementation of this agreement, monitored by the facilitation, would contribute greatly to improving relations among the communities and enhance the protection of returning IDPs and refugees.

Our immediate efforts are focused on measures necessary to consolidate the peace process in the Kivus and to contain the threat of the LRA. However, Council members should bear in mind that only a profound reform of the security sector will eventually enable the Government of the Democratic Republic to deal by its own means with security threats and challenges to the authority of the State. The FARDC is only at the first stage of army integration, namely, the absorption of the remaining Congolese armed groups. It has not yet embarked on reorganizing the command structure, combating corruption, ensuring an effective and transparent chain of payments, the progressive downsizing of the army to an affordable and

manageable level, and rehabilitating military infrastructure. Most importantly, the training of soldiers at all levels is still in the early stages.

The Defence Minister has recently presented an outline for army reform to international partners, and I have urged him to convene a group of potential security sector reform partners to discuss the plan as soon as possible. MONUC itself is ready to start training for newly integrated brigades, and we intend to contribute to the planning and coordination of external support to army reform, if requested to do so, but it is clear that the Government itself has to assume the lead role in this process. I would add that this is a long-term process, for which several international partners will need to be collectively engaged, as will the Government itself.

Reforms of the police and the judiciary are also under way with support from MONUC and other partners, in particular the European Union and the United States. All three areas must be addressed and consistently pursued.

In resolution 1856 (2008), the Security Council addressed the issue of illegal exploitation of natural resources, which helps to fuel the conflict. Improving the conduct and effectiveness of the security forces will be essential to curbing this illegal exploitation. In particular, the organized plunder of Congo's riches has been going on for decades, creating complex regional networks that involve armed groups, corrupt officials and irresponsible local and foreign traders. Dismantling these networks will take time. MONUC is working with the Congolese Ministry of the Interior and provincial authorities to improve control mechanisms, including spot checks at main transit points in the Kivus and elsewhere, to help curb illegal exports. MONUC is also training military and civilian peacekeepers, as well as Government officials, to better identify illegal commercial activities and act against the perpetrators. We are also working closely with the United Nations Group of Experts mandated by the Security Council to tackle the problem of illegal exploitation and illegal arms trading.

The international economic crisis, which has led to declining demand and plummeting prices for key minerals and crude oil, has obliged the Government to revise its 2009 budget downwards. Prime Minister Muzito has told me that in the past year, the Government has suffered a 70 per cent year-on-year decline in its revenue due to the drop in the volume of commodities exported and a decline in their price. As Council members can imagine, that has had a dramatic impact on the Government budget and, indeed, on the prospects for early economic recovery.

This situation has been accompanied, not unsurprisingly, by a critical shortage of foreign reserves and a dramatic devaluation of the Congolese currency, imposing additional hardships on an already impoverished population. The Democratic Republic of the Congo requires rapid international assistance, and, to facilitate that assistance, the Government must obviously take more decisive action to tackle problems of economic governance, including corruption, and improve the management of public resources in order to sustain donor support and financial aid.

In addition, the Council will recall that the last component of the electoral cycle — the local elections — is still unfinished business from the transition. After repeated delays in the legislative and administrative preparations, the main elements, I am happy to say, are now in place. MONUC is supporting the Congolese Independent Electoral Commission in launching the voter registration update in early June. Announcement of a polling date is expected as the update proceeds, and MONUC's assistance will be required to facilitate the holding of those elections, which will involve 6,000 constituencies and an estimated 200,000 candidates.

As we are faced with these multiple challenges, I would like to express my appreciation for the Council's approval, under resolution 1843 (2008), of a temporary surge capacity for MONUC. The current situation in the eastern part of the Democratic Republic of the Congo, as I described it, underlines the importance of these additional resources. I am informed that several countries have confirmed their intention to provide additional troops and police personnel. Regrettably, however, other critically important capacities are not yet in sight. Without the additional helicopter support required for rapid deployment and reaction, for example, MONUC's capacity to respond quickly to emerging threats and to protect civilian populations will be compromised. Our support to the FARDC will also be seriously constrained.

We are doing our best to focus our efforts and resources in accordance with the mandate, and MONUC has already deployed more than 90 per cent

of its troops to the eastern part of the Democratic Republic of the Congo. We have also thinned out considerably our civilian presence in many of the western provinces. However, the handover of tasks envisioned in resolution 1856 (2008) is hampered by the fact that United Nations agencies themselves are also largely concentrated in the East and are absent from other parts of the country in significant numbers. An effective hand-over, as recommended by the technical assessment mission recently sent to the Democratic Republic of Congo by the Department of Peacekeeping Operations, requires the preliminary rebalancing of the presence and resources of United Nations agencies. We are working on a strategic workplan with specific benchmarks, which will guide the transfer of functions and the eventual drawdown of MONUC's presence. The main elements of this strategic workplan will be shared with Council members in due course.

Finally, I would like to mention that we have made significant progress in addressing the problem of misconduct within the Mission. In 2008, allegations of serious misconduct, including sexual exploitation and abuse, declined to 56 from 66 the year before. The number of category 2 allegations of lesser gravity has also been reduced. This positive trend requires continuous training, the deployment of conduct and discipline teams in the East, and a network of civil defence unit focal points throughout the Mission, which are now producing results.

(*spoke in French*)

I hope that the strengthened security situation in the East will allow us in the near future to gradually reduce the presence of MONUC throughout the country and to prepare our departure. This year, our Mission will celebrate its tenth anniversary. In the course of the past decade, MONUC has supervised a ceasefire and the withdrawal of foreign troops following the Lusaka accords. We have created a security climate conducive to the Sun City inter-Congolese dialogue. We have accompanied the transition and ensured the holding of the first free elections in the Democratic Republic of the Congo in 40 years, and we have helped the Government to resolve the problem of foreign and Congolese armed groups in Ituri, the Kivus and Orientale province. In the past two years, and in accordance with the mandate that the Council has entrusted to us, we have focused on resolving the crisis in the Kivus and on protecting the civilian population.

The expectations of MONUC were commensurate with the country in which we are deployed — enormous and complex — and we have had to face unexpected challenges. Often, our troops, our police and our civilian personnel have sought new approaches to carrying out duties that go beyond conventional peacekeeping responsibilities. Mobile operational bases and joint protection teams are new concepts developed within MONUC. I would like to take this opportunity to pay tribute to the commitment, creativity and the perseverance of our colleagues, in particular the soldiers, civilians and police personnel who are involved in forward-based operations in very difficult and sometimes dangerous conditions.

We are the only mission that has had the privilege of receiving an annual visit from the Council, and I hope soon to be able to welcome members to the Democratic Republic of the Congo once again.

The President (*spoke in Spanish*): I thank Mr. Doss for his briefing.

There are no further speakers on my list. In accordance with the understanding reached in the Council's prior consultations, I now invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 10.40 a.m.